

Skaggs, Pam

From: Jim Speck [jim@speckandaanestad.com]
Sent: Friday, July 22, 2011 9:08 AM
To: Skaggs, Pam
Cc: 'Dr. Charles E. Brockway'; 'Christine Barrie'
Subject: RE: RE: RE: RE: Barrie Family Partners/Transfer 73608
Attachments: Barrie Family Trust Ponds, Pump & WR B.jpg; 73608 Barrie Family Partners-V3jps.docx

Pam,

I am enclosing a .shp file prepared by Brockway Engineering showing the location of the proposed diversion from the Broadford Slough in the SWSWSE Sec 26 T2N R18E which is the same location as you have in the draft transfer which is the same 10 acre tract that was in the original transfer application submittal.

As you have correctly provided in your draft of the transfer and to be consistent with the decreed water right 37-332, the acreage should be 15.9 acres. However, the discharge rate should be 1.0 cfs and Condition 3 should include the language from the Stipulation, namely: "This right, when combined with all other rights and delivered by a pressurized sprinkler irrigation system, ..." Therefore, as long as water right 37-332 is diverted and delivered to the 15.9 acre place of use utilizing a pressurized sprinkler irrigation system, the total diversion should be limited to $15.9 \times .02 = 0.32$ cfs when combined with all other rights. However, for surface or flood application, the allowed diversion rate should be 1.0 cfs.

The designation of the POD as the "Clearwater Slough tributary to Broadford Slough" is puzzling. No one locally seems to refer to the streams and ponds running through the Barrie property as the Clearwater Slough. However, the ponds appear to have an outlet connected hydraulically to the Broadford Slough. Therefore, we suggest deleting the reference to "Clearwater Slough" in your condition 6.

Last, my client indicates that it is highly unlikely that it can complete the construction of the new diversion system within the year as indicated in the draft transfer application and would like to request at least a two (2) year period for completion of works.

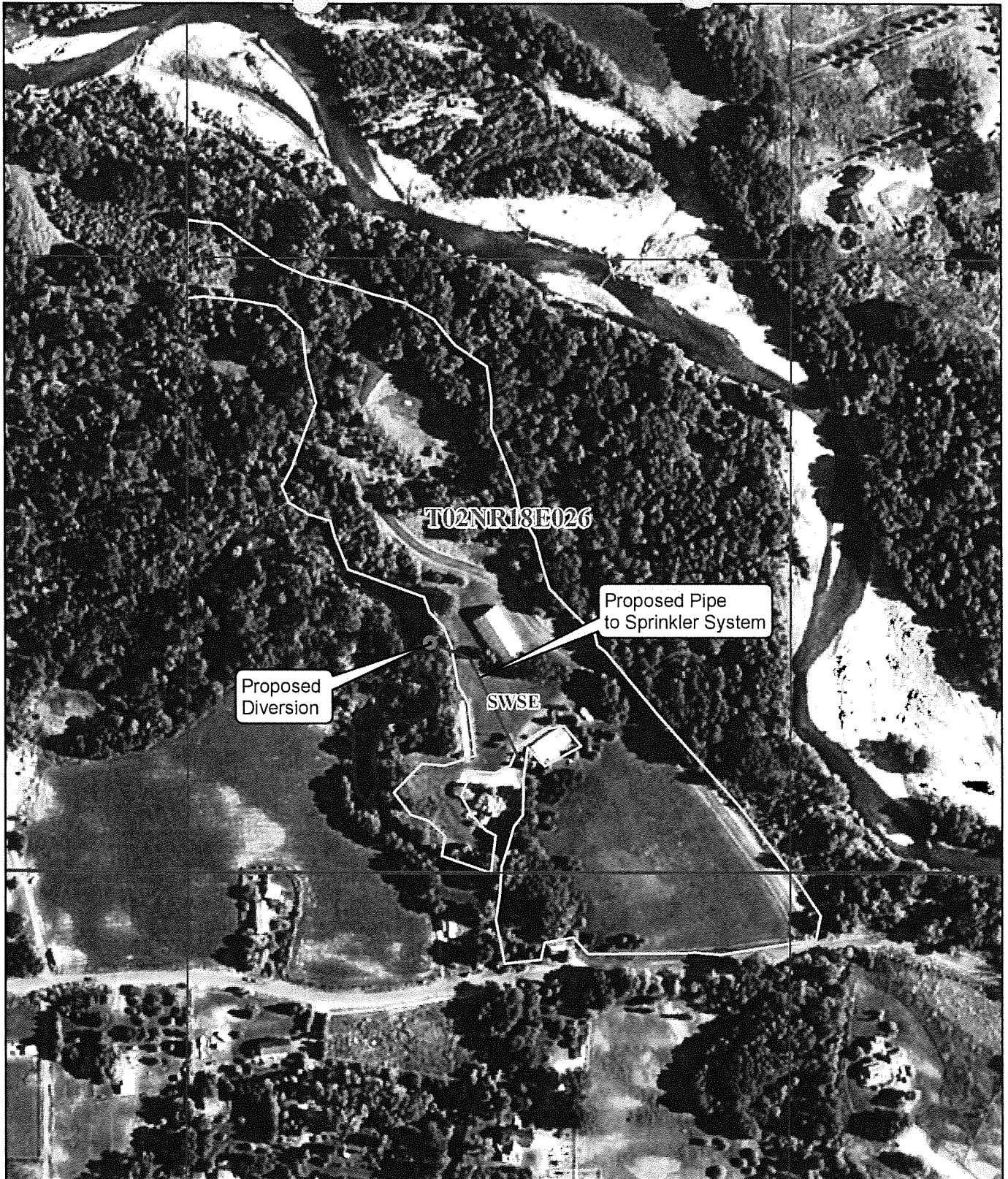
I have made these changes to your draft transfer approval and attached it for your review. Thanks for your efforts on this transfer, it will be good to get it finished. Please contact me with any further questions.

Jim

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BARRIE FAMILY PARTNERSHIP
Recommended 37-332, & Proposed Pumps
NAIP 2009 AERIAL

BROCKWAY ENGINEERING, PLLC
ALR - July 20, 2011

- Legend**
- Proposed POD
 - Proposed Pipeline
 - QQ LINES
 - 37-332_15.9 acres
 - Section_Lines
 - Ponds

